

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

NATHALIE THUY VAN,  
Plaintiff,  
v.  
LANGUAGE LINE, LLC,  
Defendant.

Case No. 14-CV-03791-LHK

**ORDER RE OBJECTIONS TO  
PLAINTIFF'S DEPOSITION AND  
DISCOVERY DESIGNATIONS**

Re: Dkt. No. 334

Defendant Language Line, LLC ("Defendant") has filed objections to Plaintiff Nathalie Thuy Van's ("Plaintiff") designation of depositions and discovery responses. ECF No. 334. Plaintiff has filed an opposition. ECF No. 340. After reviewing the parties' briefing, considering the record in the case, and balancing the considerations set forth in Federal Rule of Evidence 403, the Court rules on Defendant's objections as set forth below.

As a preliminary matter, Plaintiff argues that Defendant's objections to Plaintiff's deposition and discovery designations are in the form of a procedurally improper motion. Plaintiff submitted her deposition and discovery designations pursuant to this Court's standing order on jury trials. The Court's standing order also provides that "[a]ny objections to the use of designated excerpts . . . shall be filed and served at least 10 days prior to the commencement of trial."

Defendant filed objections on July 13, 2016—11 days prior to the scheduled start of trial. Thus, Defendant's objections were properly filed in accordance with the Court's standing order.

Accordingly, the Court rules on Defendant's objections as follows:

**A. Nathalie Thuy Van**

DEPOSITION DESIGNATION	COURT'S RULING ON OBJECTION
All depo. testimony designated by Plaintiff	Sustained. Plaintiff's own deposition testimony is not admissible pursuant to Federal Rule of Civil Procedure 32. Plaintiff is not using her testimony to impeach herself, and Plaintiff is available to testify at trial. Accordingly, Plaintiff may not introduce her deposition at trial. The Court notes that Plaintiff may testify about matters that were discussed in her deposition. However, Plaintiff can not introduce her deposition.

**B. Michael Schmidt**

DEPOSITION DESIGNATION	COURT'S RULING ON OBJECTION
All depo. testimony designated by Plaintiff	Overruled as to 8:1-4; 8:7-9:4; 10:15-11:2; 11:4-5; 11:8-19; 12:11-23; 103:25-104:10; 104:14.  Otherwise sustained.

**C. Kimberly Schnader**

DEPOSITION DESIGNATION	COURT'S RULING ON OBJECTION
All depo. testimony designated by Plaintiff	Overruled as to 6:5-9; 6:12-7:10:6; 10:14-24; 14:15-25; 25:13-15; 25:23; 25:25-26:6; 26:9-27:14; 27:17-29:11; 34:3-35:20; 43:16-24; 44:18-23.  Otherwise sustained.

**D. Barbara Sadler**

DEPOSITION DESIGNATION	COURT'S RULING ON OBJECTION
All depo. testimony designated by Plaintiff	Overruled.

**E. Georgette Bloomer**

DEPOSITION DESIGNATION	COURT'S RULING ON OBJECTION
4:5-19; 15:20-16:2	Overruled.

**F. Frank Perry**

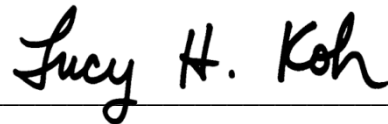
<b>DEPOSITION DESIGNATION</b>	<b>COURT'S RULING ON OBJECTION</b>
All depo. testimony designated by Plaintiff	Overruled as to 7:1-4; 7:7-14; 11:22-12:23; 118:4-6; 118:10-119:12; 121:6-8; 122:2-5; 122:15-18; 124:11-15; 124:17; 125:6-10; 125:13-126:11; 126:18-126:20; 126:25-127:8; 127:10-11; 127:13-128:13; 130:3; 130:5-8; 130:11-24; 131:2-3; 131:7-19; 132:4-17.  Otherwise sustained.

**G. Written Discovery**

<b>DEPOSITION DESIGNATION</b>	<b>COURT'S RULING ON OBJECTION</b>
Responses to Plaintiff's Interrogatories, Set One	Overruled as to Defendant's Responses to Interrogatories Nos. 1, 9, 11.  Otherwise sustained.
Supplemental Responses to Plaintiff's Interrogatories, Set One	Overruled.
Defendant's Responses to Plaintiff's Request for Production, Set One	Sustained.
Defendant's Responses to Plaintiff's Request for Production, Set Two	Overruled.
Defendant's Supplemental Responses to Plaintiff's Request for Production, Set One	Sustained.
Defendant's Responses to Plaintiff's Request for Production, Set Three	Overruled.
Defendant's Supplemental Responses to Plaintiff's Request for Production, Set Three	Overruled.
Plaintiff's Tenth Initial Disclosures and Computation of Damages	Sustained.

**IT IS SO ORDERED.**

Dated: July 26, 2016



LUCY H. KOH  
United States District Judge